



House of Representatives

General Assembly

File No. 178

February Session, 2022

Substitute House Bill No. 5170

House of Representatives, March 29, 2022

The Committee on Planning and Development reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE TETHERING AND SHELTERING OF DOGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-350a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) No person shall tether a dog to a stationary object or to a mobile
4 device, including, but not limited to, a trolley or pulley (1) by means of
5 [(1) A] a (A) tether that does not allow such dog to walk at least eight
6 feet, excluding the length of such dog as measured from the tip of such
7 dog's nose to the base of such dog's tail, in any one direction, [(2) a] (B)
8 tether that does not have swivels on both ends to prevent twisting and
9 tangling, unless a person is in the presence of such dog, [(3) a] (C) coat
10 hanger, choke collar, prong-type collar, head halter or any other collar,
11 halter or device that is not specifically designed or properly fitted for
12 the restraint of such dog, [(4) a] (D) tether that has weights attached or
13 that contains metal chain links more than one-quarter of an inch thick,

14 or [(5) a] (E) tether that allows such dog to reach an object or hazard,
15 including, but not limited to, a window sill, edge of a pool, fence, public
16 road or highway, porch or terrace railing that poses a risk of injury or
17 strangulation to such dog if such dog walks into or jumps over such
18 object or hazard, unless a person is in the presence of such dog; (2) in a
19 manner that places such dog at adverse risk of injury by another animal;
20 or (3) for more than fifteen minutes without providing such dog
21 continuous access to sanitary drinking water in a liquid state. The
22 provisions of [subdivisions (1) and (2) of this subsection] subparagraph
23 (A) of subdivision (1) of this subsection shall not be construed to apply
24 to: [(A)] (i) Any veterinary practice licensed pursuant to section 20-197
25 that tethers a dog in the course of such veterinary practice, [(B)] (ii) any
26 exhibition, show, contest or other temporary event in which the skill,
27 breeding or stamina of such dog is judged or examined, [(C)] (iii) any
28 exhibition, class, training session or other temporary event in which
29 such dog is used in a lawful manner to hunt a species of wildlife during
30 the hunting season for such species of wildlife or in which such dog
31 receives training in a lawful manner to hunt such species of wildlife,
32 [(D)] (iv) the temporary tethering of a dog at any camping or recreation
33 area as expressly authorized by the Commissioner of Energy and
34 Environmental Protection, or [(E)] (v) the temporary tethering of a dog
35 at a grooming facility in the course of grooming such dog.

36 (b) [No person shall tether a dog outdoors to a stationary object or to
37 a mobile device, including, but not limited to, a trolley or a pulley,
38 when] When a weather advisory or warning is issued by [local, state or
39 federal authorities] the National Weather Service, or when outdoor
40 environmental conditions, including, but not limited to, extreme heat,
41 cold, wind, rain, snow or hail, pose an adverse risk to the health or safety
42 of [such] a dog based on such dog's breed, size, age, thickness of coat or
43 physical condition, [unless tethering is for a duration of not longer than
44 fifteen minutes] no person shall (1) tether such dog outdoors to a
45 stationary object or mobile device, including, but not limited to, a trolley
46 or pulley, unless such tethering is for a duration of not more than fifteen
47 minutes, or (2) fail to provide such dog adequate shelter for a duration
48 of more than fifteen minutes, unless such person is in the presence of

49 such dog and outdoors during such advisory or warning or exposed to
50 such outdoor environmental conditions.

51 (c) Nothing in this section shall be construed to affect any protection
52 afforded to any dog pursuant to any other provision of the general
53 statutes, regulations of the Connecticut state agencies, local ordinance
54 or local regulation.

55 (d) Any person who confines or tethers a dog for an unreasonable
56 period of time or in violation of the provisions of subsection (a) or (b) of
57 this section shall be fined one hundred dollars for the first offense, two
58 hundred dollars for a second offense, and not less than two hundred
59 fifty dollars or more than five hundred dollars for a third or subsequent
60 offense.

61 (e) For the purposes of this section, "adequate shelter" means a
62 structure that (1) provides natural or artificial light during daylight
63 hours; (2) offers space adequate for a dog to sit, lie down and turn; (3) is
64 soundly constructed, maintained in good repair and free from
65 accumulated animal waste, debris, precipitation and moisture; (4)
66 contains sanitary drinking water in a liquid state; (5) during cold
67 outdoor environmental conditions described in subsection (b) of this
68 section, (A) is enclosed and insulated to an extent sufficient to permit a
69 dog to maintain normal body temperature, (B) features a solid roof, solid
70 walls and wind-protected opening for entry and exit, (C) is raised off
71 the ground, and (D) contains dry bedding; (6) during extreme heat
72 outdoor weather environmental conditions described in subsection (b)
73 of this section, provides shade and ventilation sufficient to permit a dog
74 to maintain normal body temperature; (7) does not contain a space
75 heater or wood or fuel burning equipment utilized for space heating; (8)
76 is not located under exterior stairs or underneath or inside a motor
77 vehicle; and (9) if constructed using wire or metal chain links, such links
78 are appropriately sized so that a dog's paws will not become caught in
79 such links.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	22-350a

Statement of Legislative Commissioners:

In Subsec. (a), Subparas. (A) to (E), inclusive, were redesignated as Subsecs. (a)(i) to (a)(v), inclusive, for consistency with standard drafting conventions.

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Resources of the General Fund	GF - Potential Revenue Gain	Less than 5,000	Less than 5,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill: (1) defines an "adequate shelter" for animals; (2) specifies when animals should not be outside under certain weather conditions; and (3) subjects violators to existing fines.

Anyone who violates the bill's definitions of sheltering animals outside is subject to a fine of \$100 for a first offense, \$200 for a second offense, and between \$250 and \$500 for a third or subsequent offense. Any revenue gain is anticipated to be less than \$5,000 annually.

Lastly, the bill makes technical and conforming changes which do not have a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

OLR Bill Analysis**sHB 5170*****AN ACT CONCERNING THE TETHERING AND SHELTERING OF DOGS.*****SUMMARY**

This bill requires a dog to be given adequate shelter, as defined by the bill, when (1) the National Weather Service (NWS) issues a weather advisory or warning or (2) adverse outdoor environmental conditions pose a risk to the dog's health or safety, based on the dog's breed, size, age, coat thickness, or physical condition. This requirement applies only when the dog is outdoors for more than 15 minutes. The bill waives the requirement when the dog is in the presence of someone who is outside during the same weather warning or advisory or exposed to the same environmental conditions.

The bill also prohibits tethering a dog to a stationary object or mobile device (e.g., trolley or pulley) (1) in a way that places it at risk of injury by another animal or (2) for more than 15 minutes without giving it continuous access to sanitary drinking water that is not frozen.

Current law prohibits tethering a dog to a stationary object or mobile device for more than 15 minutes when (1) local, state, or federal authorities issue a weather advisory or warning or (2) adverse outdoor conditions pose a risk to the dog's health or safety based on the dog's breed, age, or physical condition. The bill requires (1) the weather advisory or warning to be from the NWS and (2) consideration of the dog's size and coat thickness.

The bill eliminates an exception to the ban on using a tether without swivels on both ends to prevent twisting and tangling, unless a person is in the dog's presence. The exception currently applies to: veterinarians and groomers in the course of their work; temporary

events to showcase a dog's skill or ability (e.g., dog shows or contests); temporary events to hunt wildlife in which a dog is trained for that purpose; and authorized temporary tethering at camping or recreation areas.

Anyone who violates these requirements is subject to a fine of \$100 for a first offense, \$200 for a second offense, and between \$250 and \$500 for a third or subsequent offense. This is the existing penalty for violations of the state's tethering law.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2022

ADEQUATE SHELTER SCOPE

Under the bill, "adequate shelter" is a structure that:

1. provides natural or artificial light during daylight hours;
2. offers enough space for a dog to sit, lie down, and turn;
3. is soundly built, kept in good repair, and without accumulated animal waste, debris, precipitation, and moisture;
4. has sanitary drinking water that is not frozen;
5. has no space heater or wood or fuel burning equipment for space heating;
6. is not (a) under exterior stairs or (b) under or inside a motor vehicle; and
7. has appropriately sized wire or metal chain links so that a dog's paws cannot be caught in them, if constructed with the links.

The structure must also, during extreme outdoor heat, provide enough shade and ventilation for a dog to maintain normal body temperature. And during cold outdoor weather, a shelter must:

1. be raised off the ground and sufficiently enclosed and insulated to allow a dog to maintain normal body temperature,
2. have a solid roof and walls and a wind-protected opening for entry and exit, and
3. have dry bedding.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 23 Nay 3 (03/11/2022)